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House of Representatives  
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December 15, 2014

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The Honorable Thomas Wheeler  
Chairman  
Federal Communications Commission  
445 12th Street, SW  
Washington, DC 20554

Dear Chairman Wheeler,

As you continue working to replace the 2010 Open Internet Order, I strongly urge to you consider reclassification of Internet access services as telecommunications services under Title II of the 1996 Telecommunications Act in order to preserve Internet freedom through strong network neutrality rules.

Currently, the Internet is in the control of every individual who uses it, giving users the freedom to choose which sites to visit and what content to access. A free and open Internet has fostered innovation and economic development, transforming the 21<sup>st</sup> century and driving our nation's future economic growth.

The principle of network neutrality ensures that all users are able to access all websites on an equal basis, with only minimal barriers that are low and equal to all users. An open Internet is vital for innovation and for consumers to reap the benefit of their broadband services. Big companies should not be able to dictate what sites load slowly, quickly, or not at all.

As you know, Title II reclassification would mean treating Internet access services like other common carriers such as private phone and utility companies, which are not allowed to discriminate amongst their customers.

Critics argue that this change would harm innovation and infrastructure investment. In fact, many of the Internet Service Providers (ISPs) alleging harm are already Title II common carriers for telephone services and have advised shareholders that strong network neutrality rules would not, in fact, limit their infrastructure investments. As the Washington Post recently reported, a top executive at Verizon told his investors that if the FCC moves forward with Title II, "we're going to continue to invest in our networks and our platforms, both in Wireless and Wireline FiOs and where we need to. So nothing will influence that." Furthermore, if Internet Service Providers are reclassified under Title II, the FCC will still have the authority to narrowly tailor

regulatory requirements to best meet the goals of net neutrality while minimizing burdens on the ISPs.

That is why I agree with President Obama that reclassification represents the best path forward to ensure the strongest possible net neutrality protections. Title II is the only way to guarantee that the core principals of net neutrality, including no content blocking, no paid prioritization or 'fast lanes', and no discrimination of content, are fully enforceable. These principals are the backbone of the internet as we know it and are what led to our technological revolution.

I fully support President Obama's plan and urge the FCC to put these proposals into effect quickly to create clear net neutrality standards.

Sincerely,

A handwritten signature in blue ink that reads "Niki Tsongas". The signature is written in a cursive, flowing style.

Niki Tsongas  
Member of Congress





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

March 26, 2015

The Honorable Niki Tsongas  
U.S. House of Representatives  
1607 Longworth House Office Building  
Washington, D.C. 20515

Dear Congresswoman Tsongas:

Thank you for your letters of December 15, 2014, December 18, 2014 and February 3, 2015 expressing support for strong Open Internet rules grounded in our authority under Title II of the Communications Act. You also expressed specific concern regarding the need for platform parity between fixed and mobile connections, owing the significant role mobile services play in providing Internet access across the digital divide. I appreciate hearing your views, and your letter will be included in the record.

Over the past year, I have come to believe that there are three simple keys to our broadband future. Our broadband networks must be fast; our broadband networks must be fair; and our broadband networks must be open. On February 26, 2015, the Federal Communications Commission (FCC) voted to approve new rules designed to preserve the Internet as an open platform for innovation, investment, and free expression. Utilizing the combined authority of Title II of the Communications Act and Section 706 of the Telecommunications Act, these rules are rooted in long-standing regulatory principles, marketplace experience, and public input received over the last year. This Order represents the most open rulemaking in history and is based on months of listening to the views of policymakers outside the Commission, industry and public interest representatives, and millions of American consumers from all walks of life.

Based on the input of all these stakeholders, the FCC adopted the strongest possible open Internet protections. Specifically, we established bright-line rules banning paid prioritization, blocking, and throttling of legal content, along with a general conduct rule that can be used to stop new and novel threats to the Internet as they develop. Importantly, and consistent with the approach you support in your letter, these rules apply to both fixed and mobile broadband Internet access services. For the first time, mobile connections will be subject to the same bright-line bans on paid prioritization, blocking, and throttling, that apply to fixed broadband services. The approach we take in this Order provides clear rules of the road for all stakeholders, while ensuring there is also a referee in place to keep things fair in the future.

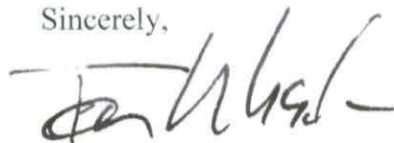
Strong rules need to be grounded in strong authority, and these rules are grounded in the strongest authority the FCC can utilize: a modernized application of Title II of the Communications Act, combined with Section 706 of the Telecommunications Act. I refer to this application of Title II as "modernized" because we have used the forbearance authority granted to us by Congress to ensure that we are not applying unreasonable conditions to these modern networks. In particular, the Order forbears from 27 provisions of Title II and more than 700 FCC rules and regulations. This forbearance is targeted to avoid major issues like rate regulation,

tariffing, and network unbundling, which would not be appropriate for the broadband Internet access industry, and is designed to preserve incentives for continued investment in broadband networks.

The FCC's new rules, grounded in strong Title II authority and applied to both fixed and mobile connections, carry the support of millions of Americans, and are poised to keep the Internet open and free for consumers and innovators for years to come.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", with a stylized flourish at the end.

Tom Wheeler